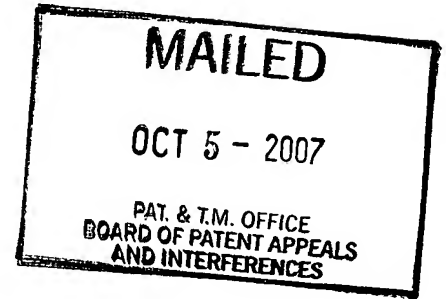


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SIMON A.J. HOLDSWORTH

Application No. 10/016,935



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on September 22, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On May 9, 2007, 2006, an Order Returning Undocketed Appeal to Examiner was mailed which requested:

1. to vacate the acknowledgment of the Reply Brief mailed November 2, 2006;
2. proper acknowledgment of the Reply Briefs filed October 10, 2006 and December 4, 2006 is required; and
3. for such further action as may be appropriate.

In addition, On July 6, 2007, the examiner mailed a communication acknowledging receipt of appellant's reply brief. The examiner states "The reply brief filed on December 4, 2007, has been entered and considered. However, a review of the file reveals that the reply brief was filed on December 4, 2006. Clarification of the reply brief filing date is required.

Accordingly, it is

ORDERED that the application is returned to the examiner:

1. to vacate the acknowledgment of the Reply Brief mailed November 2, 2006;
2. proper acknowledgment of the Reply Briefs filed October 10, 2006 and December 4, 2006; and,
3. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
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